

GOVERNMENT OF ANDHRA PRADESH  
**ABSTRACT**

Public Services – Irrigation & CAD Department – Certain allegations levelled against Sri K.Satyanarayana, Assistant Engineer, Irrigation Division, Mahabubabad, Irrigation Circle, Warangal – Departmental action initiated under Rule 20 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 – Further action dropped – Orders – Issued.

-----

IRRIGATION & COMMAND AREA DEVELOPMENT (SER.IV) DEPARTMENT

**G.O.Rt.No. 1181.**

**Dated: 12.12.2013.**

**Read the following:-**

1. From the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad, Proceeding No.Rc/E.N.C./SII(1)/39878/04, dated 10.12.2004.
2. From the Hon'ble IV Additional Judicial Magistrate of I Class at Warangal, Judgement dated 03.05.2008 in C.C.No.767 of 2006.
3. From the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad, Proceedings No. Rc/ENC/SII(1)/ 39878/2004, dated 07.08.2008.
4. G.O.Rt.No. 895, Irrigation & CAD (Ser.IV) Department, dated 25.05.2009.
5. Written Statement of Self Defence submitted by Sri K.Satyanarayana, Assistant Engineer, dated 19.06.2009.
6. From the A.P.Administrative Tribunal, Hyderabad, Interim Orders dated 10.07.2009 in O.A.No.7637 of 2009.
7. From the A.P. Administrative Tribunal, Hyderabad, Judgement dated 29.10.2009 in C.A.No.323 of 2009 in O.A.No.5529 of 2008, O.A.No.4493 of 2009 and O.A.No.7637/2009 with VMA No.1944/2009.
8. Govt. Memo.No.18914/Ser.IV/A2/2005-17, dated 14.12.2009 of Irrigation & CAD (Ser.IV) Department.
9. From the Hon'ble High Court of A.P., Hyderabad, Interim Orders dated 15.11.2010 in WPMP No.35660 of 2010 in W.P.No.27965 of 2010 filed by the Government.
10. Govt. Memo.No.18914/Ser.IV/A2/2005- 29, dated 02.12.2010 of Irrigation & CAD (Ser.IV) Department.
11. From the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad, Proceeding No.Rc/ENC/SII(1)/ 39878/2004-1, dated 14.12.2010.
12. From the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad, Proceeding No.Rc/ENC/SII(1)/ 39878/2004-2, dated 14.12.2010.
13. From the Deputy Superintending Engineer & Inquiring Authority, Construction Circle, Warangal, letter No.SE/CCH/ES/E.I/658, dated 19.07.2013.
14. From the Hon'ble High Court of A.P., Hyderabad, Judgement dated 12.08.2013 in W.P.No.27965 of 2010.
15. From the Hon'ble High Court of A.P., Hyderabad, Show Cause Notice dated 22.11.2013 in C.C.No.1979 of 2013 in W.P. No.27965 of 2010.

\* \* \*

**ORDER:**

It has been brought to the notice of the Government that Sri K.Satyanarayana, Assistant Engineer, Irrigation Division, Mahabubabad of Warangal District was involved in a case of moral turpitude in as much as he created a false divorce deed by forging the signature of the Secretary, Legal Cell Authority and also Advocates, Government Pleaders and affixed the forged stamps, which were got prepared at Chennai and submitted the same to the Consulate General, U.S.A., Chennai in order to get K Visa. He further tried to marry one Ms.Synthia Johnson, resident of Orlando of Florida State, United States of America, though he was already married to

(PTO)

Smt.K.Jyothi. Subsequently, a case was registered in Crime No.719/2004 under Section 468, Section 471 and Section 420 of I.P.C., in P.S. Subedari of Warangal District. He was arrested and remanded to Judicial custody and was lodged in Central Prison on 30.11.2004. Accordingly, in the reference 1<sup>st</sup> read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad has issued orders, placing Sri K.Satyanarayana, Assistant Engineer under suspension from the date of his detention and sending to Judicial custody.

2. In the reference 2<sup>nd</sup> read above, the Hon'ble IV Additional Judicial Magistrate of I Class at Warangal in Judgment dated 03.05.2008 in C.C.No.767 of 2006 held that the accused is found not guilty for the offence punishable under sections 468, 471, 473 and 420 of I.P.C., and he is acquitted under section 248 (1) Cr. P.C., by giving benefit of doubt to the accused, as the P.Ws 2 to 4 and 6 to 9 practically turned hostile disowning the acts done by the prosecution agency.

3. In the reference 3<sup>rd</sup> read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad has issued orders, reinstating Sri K.Satyanarayana, Assistant Engineer into service, pending finalization of the criminal / departmental proceedings against him.

4. After examining the acquittal Judgment dated 03.05.2008 of Hon'ble IV Additional Judicial Magistrate of I Class, Warangal in C.C.No.767/2006, it has been observed that Sri K. Satyanarayana, Assistant Engineer was acquitted by the Hon'ble Court on benefit of doubt and preponderance of probability may prevail in the case. Therefore, it has been decided to initiate departmental action against Sri K. Satyanarayana, Assistant Engineer and accordingly, orders were issued in the reference 4<sup>th</sup> read above, initiating departmental action against Sri K. Satyanarayana, Asst. Engineer and Articles of Charges were issued against him.

5. In the Written Statement of defence submitted in the reference 5<sup>th</sup> read above, Sri K. Satyanarayana, Assistant Engineer has denied the charge and requested to drop further action against him and also requested to regularize his suspension period as "on duty", in view of his acquittal by the Trial Court.

6. In the meanwhile, Sri K. Satyanarayana, Assistant Engineer has filed O.A.No.7637 of 2009 before the A.P. Administrative Tribunal with a prayer to suspend the departmental proceedings issued in G.O.Rt.No.895, Irrigation & CAD (Ser.IV) Department, dated 25.05.2009. In the reference 6<sup>th</sup> read above, the A.P. Administrative Tribunal in its Interim Order dated 10.07.2009 in O.A.No.7637/2009 held that the impugned proceedings issued in G.O.Rt.No.895, Irrigation & CAD (Ser.IV) Department, dated 25.05.2009 are suspended.

7. In the reference 7<sup>th</sup> read above, the A.P. Administrative Tribunal, Hyderabad in its Common Order dated 29.10.2009 in C.A.No.323 of 2009 in O.A.No.5529 of 2008, O.A.No.4493 of 2009 and O.A.No.7637/2009 with VMA No.1944/2009 has made the following:-

- i. Quashed the Charge Memo issued to Sri K. Satyanarayana, Assistant Engineer;
- ii. directed the respondents to release his increments during the period of his suspension; and
- iii. to regularize his suspension period as per Fundamental Rules and pass appropriate orders.

(Continued....at page 3)

8. After careful examination of the matter, it has been decided to implement the Orders of the A.P. Administrative Tribunal in C.A.No.323 of 2009 in O.A.No.5529 of 2009 and O.A.No.4493 of 2009 and instructions were issued to the Engineer-in-Chief (AW), Irrigation & CAD Department, to release the increments for the suspension period and also to treat the period of suspension as "Not Duty", as he was acquitted by the Criminal Court on the benefit of doubt only but not on merits vide reference 8<sup>th</sup> read above. It was further decided to file an appeal before the Hon'ble High Court of A.P., Hyderabad on the orders of quashing the Charge Memo., as ordered by the A.P. Administrative Tribunal in O.A.No.7637 of 2009. Accordingly, W.P.No.27965 of 2010 was filed before the Hon'ble High Court of A.P., against the Orders of A.P. Administrative Tribunal, Hyderabad dated 29.10.2009 in O.A.No.7637 of 2009. In the reference 9<sup>th</sup> read above, the Hon'ble High Court of A.P., Hyderabad in their Interim Orders dated 15.11.2010 in W.P.No.27965 of 2010 granted interim suspension on the Orders of A.P. Administrative Tribunal, Hyderabad, Judgment dated 29.10.2009 in O.A.No.7637 of 2009.

9. In the reference 10<sup>th</sup> read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad was directed to appoint an Inquiring Authority and a Presenting Officer for conducting departmental inquiry into the charges framed against Sri K. Satyanarayana, Assistant Engineer under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991, as the written statement of self defence submitted by Sri K. Satyanarayana, Assistant Engineer was not convincing.

10. As per the directions of Government, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad issued orders in the reference 11<sup>th</sup> read above, appointing the Deputy Superintending Engineer, Construction Circle, Hanamkonda, Warangal as Inquiring Authority for conducting departmental inquiry into the charges framed against Sri K. Satyanarayana, Assistant Engineer and in the reference 12<sup>th</sup> read above, orders were issued, appointing the Deputy Executive Engineer (T), Construction Circle, Hanamkonda as Presenting Officer, to present the case before the Inquiring Authority on behalf of the disciplinary authority.

11. In the reference 13<sup>th</sup> read above, the Deputy Superintending Engineer & Inquiring Authority, Construction Circle, Hanamkonda has submitted his Inquiry Report, holding that the Charges-I & II were not proved.

12. In the reference 14<sup>th</sup> read above, the Hon'ble High Court of A.P., Hyderabad in their Judgment dated 12.08.2013 in W.P.No. 27965 of 2010, while disposing the Writ Petition, have directed "to complete the inquiry and pass appropriate final orders, and further as it is brought to their notice that during the pendency of the proceedings, on attaining the age of superannuation, the 1<sup>st</sup> respondent has already retired from service in the month of September, 2012, the Hon'ble High Court has set aside the orders of Tribunal dated 29.10.2009 passed in O.A.No.7636 of 2009, with a direction to the petitioners herein to complete the inquiry and pass appropriate final orders as expeditiously as possible preferably within a period of two months i.e., before 12.10.2013".

13. In the reference 15<sup>th</sup> read above, the Hon'ble High Court of A.P., Hyderabad has issued notice to the Respondents and directed to show cause either to appear in person or through Advocate duly instructed on 13.12.2013 to which date the case stands posted for hearing, failing wherein the said case will be heard and determined ex-parte.

(PTO)

::4::

14. After examining the entire matter carefully, it has been decided to accept the findings of the Inquiring Authority against both the charges of forgery and bigamy and to drop further action against the CO Sri K. Satyanarayana, Assistant Engineer (Retd.), as the criminal court acquitted him for the same charges of forgery and bigamy. Accordingly, Government hereby order to drop further action against Sri K. Satyanarayana, Assistant Engineer (Retd.), earlier worked at Irrigation Division, Mahabubabad of Irrigation Circle, Warangal, as the charges of forgery and bigamy were not proved in the inquiry and the criminal court acquitted him for the same charges of forgery and bigamy.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
PRICIPAL SECRETARY TO GOVERNMENT

To

Sri K. Satyanarayana, Asst. Engineer (Retd.), earlier worked at Irrigation Division, Mahabubabad of Irrigation Circle, Warangal through the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.

The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.

The Govt. Pleader for Services-II, High Court of A.P., Hyderabad. (3 copies).

He is requested to apprise the position to the Hon'ble High Court of A.P., Hyderabad as and when the case in C.C.No.1979 of 2013 in W.P.No.27965 of 2010 comes up for hearing.

Copy to:

The Secretary to V.C., APVC., Hyderabad.

// FORWARDED :: BY ORDER //

SECTION OFFICER